



FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329

(916) 322-5660 • Fax (916) 322-0886

October 12, 2010

✓ Ms. Bobbie Plough, Superintendent
Natomas Unified School District

Redacted

RE: **Warning Letter**

FPPC No. 09/227: Natomas Unified School District

Dear Ms. Plough:

The Fair Political Practices Commission (the "FPPC") enforces the provisions of the Political Reform Act (the "Act"), found in Government Code Section 81000, and following. As you may know, the Enforcement Division of the FPPC has been investigating whether the Natomas Unified School District complied with the Act's requirements to provide Statements of Economic Interests ("SEIs") to the public in accordance with the Act. After an investigation into this allegation, the Enforcement Division has decided to close its file on this matter with the issuance of this warning letter.

Section 81008 states that all reports and statements filed pursuant to the Act are public records open for public inspection and reproduction, and that "no conditions whatsoever shall be imposed upon persons desiring to inspect or reproduce reports and statements filed under this title, nor shall any information or identification be required from such persons." Section 81008 permits members of the public to obtain reports and statements anonymously, so that they are not deterred from requesting particular reports or statements out of fear that their request to see the document will be used against them by a government official or agency. Requiring a requestor to provide his or her name, information or identification contradicts the specific language of Section 81008, and the policy of protecting the anonymity of the requestors in viewing statements and reports filed under the Act.

Our investigation has determined that your agency violated the Act by improperly requesting the name of requestors and not providing the records and statements requested in a timely manner. In addition, when copies were provided, your agency charged 15¢ per copy even though Section 81008 only permits 10¢ per copy to be charged. Also, as an agency filing official, you are required to date-stamp any SEIs upon receipt as part of your duties outlined in Regulation 18115 (copy enclosed). Our investigation determined that the majority of the SEIs received by your office were not date-stamped.

This letter serves as a written warning. The information in this matter will be retained and may be considered should an enforcement action become necessary based on newly discovered information or future conduct. Failure to comply with the provisions of the Act in the future could result in monetary penalties up to \$5,000 per violation.

A warning letter is a Commission resolution without administrative prosecution or fine. However, the warning letter resolution does not provide you with the opportunity for a probable cause hearing or hearing before an Administrative Law Judge or the Commission. If you wish to avail yourself of these proceedings by requesting that your case proceed with prosecution rather than a warning, please notify us within ten (10) days from the date of this letter. Upon this notification, the Commission will rescind this warning letter and proceed with administrative prosecution of this case. If we do not receive such notification, this warning letter will be posted on the Commission's website ten (10) days from the date of this letter.

If you have questions regarding this matter, please contact us at (916) 322-5660.

Sincerely,

Redacted

✓ Galena West
Senior Commission Counsel
Enforcement Division

Enclosure